

# Exhibit 5

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

GOOGLE LLC,

Plaintiff,

vs.

No. 3:20-cv-6754

SONOS, INC.,

Defendant.

\_\_\_\_\_ /

-- HIGHLY CONFIDENTIAL, ATTORNEYS' EYES ONLY --

VIDEO-RECORDED FEDERAL RULE 30(B)(6) DEPOSITION OF

GOOGLE LLC, BY CHRISTOPHER CHAN

Remote Zoom Proceedings

Oakland, California

Tuesday, November 29, 2022

REPORTED BY:

LESLIE ROCKWOOD ROSAS, RPR, CSR 3462

Pages 1 - 134

Job No. 5594471

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Video-recorded Federal Rule 30(b)(6) deposition  
of GOOGLE LLC, by CHRISTOPHER CHAN, taken on behalf of  
the Defendant, Remote Zoom Proceedings from Oakland,  
California, beginning at 9:06 a.m. Pacific Standard Time  
and ending at 2:27 p.m. Pacific Standard Time, on  
Tuesday, November 29, 2022, before Leslie Rockwood Rosas,  
RPR, Certified Shorthand Reporter No. 3462.

1 APPEARANCES :

2  
3 FOR THE PLAINTIFF:

4 LEE SULLIVAN SHEA & SMITH LLP

5 BY: SEAN M. SULLIVAN, ESQ.

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7 Chicago, Illinois 60661

8 (312) 754-0002

9 sullivan@ls3ip.com

10  
11  
12 FOR THE DEFENDANT:

13 QUINN EMANUEL URQUHART & SULLIVAN LLP

14 BY: JAMES D. JUDAH, ESQ.

15 50 California Street, 22nd Floor

16 San Francisco, California 94111

17 (415) 785-6420

18 jamesjudah@quinnemanuel.com

19  
20 Also Present:

21 Patrick Weston, Google Inhouse Counsel

22 David West, Videographer

1 California, Case Number 3:21-cv-07559-WHA and  
2 3:20-cv-06754-WHA.

3 The deposition is being conducted remotely using  
4 virtual technology. My name is David West. I am the  
5 videographer. The court reporter is Leslie Rosas. We 09:07:53  
6 represent Veritext Legal Solutions.

7 I am not related to any party in this action nor  
8 am I financially interested in the outcome.

9 If there are any objections to proceeding,  
10 please state them at the time of your appearance. 09:08:06

11 Counsel and all present will now state their  
12 appearances and affiliations for the record, beginning  
13 with the noticing attorney.

14 MR. SULLIVAN: Yeah, this is Sean Sullivan from  
15 Lee Sullivan Shea & Smith LLP on behalf of Sonos, Inc. 09:08:20

16 MR. JUDAH: James Judah on behalf of Google,  
17 with Quinn Emanuel.

18 THE REPORTER: Mr. Weston?

19 MR. WESTON: Apologies. I was stuck on mute.

20 I'm Patrick Weston, inhouse counsel from Google. 09:08:42

21 THE VIDEOGRAPHER: Go ahead, Leslie.

22 THE REPORTER: Thank you.

23 Mr. Chan, if you would raise your right hand,  
24 please, I'll swear you in. Thank you.

25 You do solemnly state that the evidence you 09:08:50

1 shall give in this matter shall be the truth, the whole  
2 truth, and nothing but the truth, so help you God?

3 THE WITNESS: Yes.

4 THE REPORTER: Thank you.

5 You may proceed, Counsel. 09:09:03

6

7 EXAMINATION

8 BY MR. SULLIVAN:

9 Q. Good morning, Mr. Chan.

10 A. Good morning. 09:09:08

11 Q. Could you please state and spell your full name  
12 for the record.

13 A. Christopher Chan, C-H-R-I-S-T-O-P-H-E-R,  
14 C-H-A-N.

15 [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED]

[REDACTED] [REDACTED] 09:09:46

HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY

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[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

13:10:12

Does Google instruct users to download the  
Google Home app onto their computing devices in order to  
set up and use Google's speakers?

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

THE WITNESS: When setting up a smart speaker,  
there is a quick-start guide in the packaging that  
instructs users to set up and download the Google Home  
app. And then in addition to that, when they plug in a

13:10:45

1 speaker, the Google assistant's voice also instructs  
2 users to download the Google Home app.

3 Q. BY MR. SULLIVAN: Does the Google Home app need  
4 to be downloaded onto users' computer devices in order to  
5 set up and use Google's speakers? 13:11:05

6 [REDACTED]  
7 [REDACTED]  
8 THE WITNESS: Access to the Home app is required  
9 to set up a Google smart speaker.

10 Q. BY MR. SULLIVAN: Is the Google Home app 13:11:24  
11 required to create a speaker group?

12 [REDACTED]  
13 THE WITNESS: Yes. The Google Home app is  
14 required to create a static speaker group.

15 Q. BY MR. SULLIVAN: Does Google encourage people 13:11:48  
16 to download the Google Home app?

17 [REDACTED]  
18 [REDACTED]  
19 THE WITNESS: So both the quick-start guide and  
20 the smart speaker itself both prompt the user to download 13:12:01  
21 and install the Home app to set it up.

22 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] 13:12:20



1 STATE OF CALIFORNIA ) ss:

2 COUNTY OF MARIN )  
3

4 I, LESLIE ROCKWOOD ROSAS, RPR, CSR NO. 3462, do  
5 hereby certify:

6 That the foregoing deposition testimony was  
7 taken before me at the time and place therein set forth  
8 and at which time the witness was administered the oath;

9 That testimony of the witness and all objections  
10 made by counsel at the time of the examination were  
11 recorded stenographically by me, and were thereafter  
12 transcribed under my direction and supervision, and that  
13 the foregoing pages contain a full, true and accurate  
14 record of all proceedings and testimony to the best of my  
15 skill and ability.

16 I further certify that I am neither counsel for  
17 any party to said action, nor am I related to any party  
18 to said action, nor am I in any way interested in the  
19 outcome thereof.

20 IN WITNESS WHEREOF, I have subscribed my name  
21 this 30th day of November, 2022.  
22

23   
24

25 LESLIE ROCKWOOD ROSAS, RPR, CSR NO. 3462

**ERRATA SHEET**

**Case Names:** *Google LLC v. Sonos, Inc.*  
Case No. 3:20-cv-06754-WHA

*Sonos, Inc. v. Google LLC*  
Case No. 3:21-cv-07559-WHA


**Deposition Date:** November 29, 2022

**Deponent:** Christopher Chan

I, Christopher Chan, do hereby certify that I read the foregoing transcript of my testimony taken on November 29, 2022, and further certify that it is a true and accurate record of my testimony, with the exception of the corrections listed below:

Page	Line	Now Reads	Should Read	Reason
14	6	Balance	Valens	Transcription error
20	13	Rings	brings	Transcription error
25	15	Key counsel	PCounsel	Transcription error
28	5	antics	analytics	Transcription error
38	9	a map	an app	Transcription error
43	1	map	app	Transcription error
48	5	TV HTML 5	TVHTML5	Transcription error
55	24	carrying	Pairing	Transcription error
72	3	stayed	installed	Transcription error
73	20	stored	storage	Transcription error
122	2	Google assistant home control	Google Assistant, home control	Transcription error

Dated: 1/26/23

By:   
Christopher Chan